

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JOYCE TOTH, individually and on behalf of)	
all others similarly situated,)	
)	
Plaintiff)	Case No. 1:23-cv-11043
)	
v.)	
)	
EVERLY WELL, INC. and EVERLY)	
HEALTH, INC.,)	
)	
Defendants)	

PLAINTIFF'S NOTICE OF APPEAL

Notice is hereby given that Plaintiff Joyce Toth, in the above-captioned matter, appeals to the United States Court of Appeals for the First Circuit from the order of the District Court entered on August 2, 2023, Docket Entry 41.

Date: August 30, 2023

Respectfully submitted,

TYCKO & ZAVAREEI LLP

/s/ Gemma Seidita

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Counsel for Plaintiff and the Proposed Class

CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2023 I caused a true and correct copy of the foregoing Motion to be filed and served via the Court's CM/ECF system, which shall provide notice and service on all registered counsel of record.

/s/ Gemma Seidita
Gemma Seidita